

RECEIVED
CENTRAL FAX CENTER

MAY 07 2007

Application No. 10/781,489
Amendment dated January 8, 2007
Response to Final Office Action dated November 7, 2006

REMARKS/ARGUMENTS

The claims have been amended as set forth above. Applicants believe that the amendments clarify the claims and clearly distinguish the cited references as is more fully set forth below. No new matter has been added.

I. Examiner Interview Dated December 7, 2006

An Examiner interview was held with Examiner Hassan on December 7, 2006 to explain the changes to the claims. An agreement as to allowability was not reached. However, Examiner Hassan did state that the changes clarified the distinguishing features of the claims in view of the cited references.

II. Rejection of Claims 1-20 under 35 U.S.C. 112

Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. All of the claims have been amended to clarify the features of the claims. Applicants assert that the above amendments obviate the stated rejections. Applications respectfully request reconsideration of the claims.

III. Rejections of the Claims

Claims 1-3, 5, 10-12, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,133,076 issued to Hawkins et al. (hereinafter "Hawkins"). Claims 4, 6-9, 13, 15, 16, and 17-20 are rejection under 35 U.S.C. 103(a) as being unpatentable over Hawkins in view of U.S. Patent No 5,063,376 issued to Chang (hereinafter "Chang"). In light of the amendments above, applicants respectfully disagree with the rejection. Independent claim 1 has been amended to include the following combination of features that are not taught or otherwise suggested by the cited references:

Application No. 10/781,489
Amendment dated January 8, 2007
Response to Final Office Action dated November 7, 2006

providing a selection-based input mode selector, wherein the selection-based input mode selector is configured to instantiate a selection-based input mode for recognizing inputs from a selection-based input device;

providing a pen-based input mode selector, wherein the pen-based input mode selector is configured to instantiate a pen-based input mode for recognizing pen inputs from a pen-based input device;

providing an auto switch mode selector, wherein the auto switch mode selector is configured to instantiate an auto switch mode for enabling automatic switching between the selection-based input mode and the pen-based input mode;

instantiating the selection-based input mode for the selection-based input device;

actuating the auto switch mode selector to instantiate the auto switch mode;

while in the auto switch mode, detecting a pen-use input from the pen-based input device; and

in response to detecting the pen-use input from the pen-based input device, automatically switching from the selection-based input mode to the pen-based input mode without actuating the pen-based input mode selector.

As an example of one problem associated with the prior art, the specification of the application recites as follows:

Unfortunately, such systems do not allow for a natural transition between one input mode and another. If the user desires to switch from a mouse mode to a pen mode, she must manually select the pen mode and, when she wishes to return to mouse mode, she must manually select mouse mode. Moreover, prior art systems do not allow for ready use of one input mode in the fashion of another input mode. For example, prior systems do not allow a user to readily use a pen in mouse mode and vice versa in a manner that seems natural to the user without undue manual selection by the user. *Background*, at pg. 1, line 23 – pg. 2, line 2.

As an example of a few of the features of the claims, the specification of the application recites as follows:

In accordance with embodiments of the present invention, the electronic pen 215 also may be selectively used to function in the fashion of a mousing device, such as the mouse 225, described below. That is, by placing the electronic pen 215 in a mouse mode, the electronic pen 215 takes on the characteristics of a mouse

Application No. 10/781,489
Amendment dated January 8, 2007
Response to Final Office Action dated November 7, 2006

including movement of a cursor about the screen 200 and selection of a text or data insertion point at various places on the screen 200. Also shown for the screen 200 are a mouse mode button 212, an auto switch mode button 213 and a pen mode button 214. The mouse mode button 212 and the pen mode button 214 are illustrative of buttons for allowing a user to manually select between a selection mode (mousing device and keyboard mode) and a pen mode which allows input using the electronic pen 214. The auto switch mode button 213 button is illustrated for enabling automatic switching between input modes as will be described below with reference to Fig. 3. As will be described in detail below, embodiments of the present invention are directed to methods for allowing a more natural transition between a pen mode and a selection mode (mousing device and keyboard) without the requirement for manual selection between the two modes such as would be required by selecting the mouse mode button 212 or the pen mode button 214. *Specification*, at pg. 6, line 20 – pg. 7, line 5.

...
Selection of the auto input mode button 213 causes the operating system of the user's computer to automatically switch between input modes based on user behavior. *Specification*, at pg. 7, lines 27-29.

...
At block 320, the user moves the electronic pen or stylus 215 to the display screen 200. At block 325, the user's system automatically switches from selection mode (mouse mode and keyboard mode) to pen mode. That is, without the requirement for the user to manually select pen mode by selecting the pen mode button 214, the user's system automatically switches to pen mode because the user's behavior of moving the electronic pen 215 to the screen 200 indicates that the user desires to use the pen 215 in pen mode for inputting data or otherwise manipulating data on the computer display screen 200. Advantageously, the user's experience is a more natural experience because the user develops the expectation that use of the pen automatically places the user in pen mode. *Specification*, at pg. 8, lines 2-11.

Applicants believe that independent claim 1 is supported as set forth above. Applicants assert that the references fail to teach or otherwise suggest the features of independent claim 1. Hawkins teaches a keyboard emulation program (KPEP) and an external keyboard device. See *Hawkins*, at col. 12, lines 17-25. Hawkins teaches the KB type line indicates that the computer is not in the keyboard emulation mode by initializing the computer or termination the keyboard

RECEIVED
CENTRAL FAX CENTER

MAY 07 2007

Application No. 10/781,489
Amendment dated January 8, 2007
Response to Final Office Action dated November 7, 2006

emulation program. *See Hawkins*, at col. 12, lines 17-25. The Office Action notes that, in *Hawkins*, switching modes from a pen-based to selection-based modes are done through the utilization of hardware interrupts on the interrupt line. The Office Action further notes that the user end hardware computational method of *Hawkins* translates to automatic behavior as recited in the claims of the current application. Applicants assert that the current amendments to independent claim 1 distinguish these assertions. *Hawkins* does not teach the combination of "a selection-based input mode selector", a pen-based input mode selector", and "an auto switch mode selector" as recited in independent claim 1. *Hawkins* also fails to teach "actuating the auto switch mode selector to instantiate the auto switch mode." In light of this lack of teaching in *Hawkins*, *Hawkins* cannot possibly teach that "in response to detecting the pen-use input from the pen-based input device, automatically switching from the selection-based input mode to the pen-based input mode without actuating the pen-based input mode selector."

Chang does not remedy the lack of teaching in *Hawkins*. Applicants can find no teaching of the combination of "a selection-based input mode selector", a pen-based input mode selector", and "an auto switch mode selector" as recited in independent claim 1. *Chang* also fails to teach "actuating the auto switch mode selector to instantiate the auto switch mode." In light of this lack of teaching in *Chang*, *Chang* cannot possibly teach that "in response to detecting the pen-use input from the pen-based input device, automatically switching from the selection-based input mode to the pen-based input mode without actuating the pen-based input mode selector." Accordingly, applicants believe that independent claim 1 is allowable over the cited references.

Independent claim 15 has been amended to include the following combination of features that are not taught or otherwise suggested by the cited references:

providing a mouse-based input mode selector, wherein the mouse-based input mode selector is configured to instantiate a mouse-based input mode for recognizing inputs from a mousing device;

providing a pen-based input mode selector, wherein the pen-based input mode selector is configured to instantiate a pen-based input mode for recognizing pen inputs from a pen-based input device;

Application No. 10/781,489
Amendment dated January 8, 2007
Response to Final Office Action dated November 7, 2006

providing an auto switch mode selector, wherein the auto switch mode selector is configured to instantiate an auto switch mode for enabling automatic switching between the selection-based input mode and the pen-based input mode;

instantiating an initial input mode for an initial input device;

actuating the auto switch mode selector to instantiate the auto switch mode;

while in the auto switch mode, detecting a pen-use input from the pen-based input device;

in response to detecting the pen-use input from the pen-based input device, automatically switching from the initial input mode to the pen-based input mode without actuating the pen-based input mode selector.

while in the auto switch mode, detecting a mouse-use input from the mousing device; and

in response to detecting the mouse-use input from the mousing device, automatically switching from the pen-based input mode to the mouse-based input mode without actuating the mouse-based input mode selector.

Applicants believe that independent claim 15 is supported as set forth above. Applicants assert that the references fail to teach or otherwise suggest the features of independent claim 15. Applicants assert that the current amendments to independent claim 15 distinguish the assertions set forth in the Office Action. Hawkins does not teach the combination of "a mouse-based input mode selector", a pen-based input mode selector", and "an auto switch mode selector" as recited in independent claim 15. Hawkins also fails to teach "actuating the auto switch mode selector to instantiate the auto switch mode." In light of this lack of teaching in Hawkins, Hawkins cannot possibly teach that "in response to detecting the pen-use input from the pen-based input device, automatically switching from the initial input mode to the pen-based input mode without actuating the pen-based input mode selector." Also, Hawkins cannot possibly teach "in response to detecting the mouse-use input from the mousing device, automatically switching from the pen-based input mode to the mouse-based input mode without actuating the mouse-based input mode selector."

Application No. 10/781,489

Amendment dated January 8, 2007

Response to Final Office Action dated November 7, 2006

Chang does not remedy the lack of teaching in Hawkins. Applicants can find no teaching of the combination of "a mouse-based input mode selector", a pen-based input mode selector", and "an auto switch mode selector" as recited in independent claim 15. Chang also fails to teach "actuating the auto switch mode selector to instantiate the auto switch mode." In light of this lack of teaching in Chang, Chang cannot possibly teach that "in response to detecting the pen-use input from the pen-based input device, automatically switching from the selection-based input mode to the pen-based input mode without actuating the pen-based input mode selector." Accordingly, applicants believe that independent claim 15 is allowable over the cited references.

Independent claim 18 has been amended to include the following combination of features that are not taught or otherwise suggested by the cited references:

providing a selection-based input mode selector, wherein the selection-based input mode selector is configured to instantiate a selection-based input mode for recognizing inputs from a selection-based input device;

providing a pen-based input mode selector, wherein the pen-based input mode selector is configured to instantiate a pen-based input mode for recognizing pen inputs from a pen-based input device;

providing an auto switch mode selector, wherein the auto switch mode selector is configured to instantiate an auto switch mode for enabling automatic switching between the selection-based input mode and the pen-based input mode;

instantiating the selection-based input mode for the selection-based input device;

actuating the auto switch mode selector to instantiate the auto switch mode;

while in the auto switch mode, detecting a pen-use input from the pen-based input device;

in response to detecting the pen-use input from the pen-based input device, automatically switching from the selection-based input mode to the pen-based input mode without actuating the pen-based input mode selector;

while in the auto switch mode, detecting a use-input from the selection-based input device;

RECEIVED
CENTRAL FAX CENTER

Application No. 10/781,489
Amendment dated January 8, 2007
Response to Final Office Action dated November 7, 2006

MAY 07 2007

in response to detecting the use-input of the selection-based input device, automatically switching from the pen-based input mode back to the selection-based input mode without actuating the selection-based input mode selector;

latching the selection-based input device, by actuating the pen-based input selector, so that the selection-based input device behaves as a pen-based input device;

detecting another use-input from the pen-based input device;

in response to detecting the another use-input of the pen-based input device, automatically unlatching the selection-based input device from behaving as a pen-based input device without actuating the pen based input mode selector;

latching the pen-based input device, by actuating the selector-based input mode selector, so that the pen-based input device behaves as a selection-based input device;

detecting another use-input from the selection-based input device; and

in response to detection the another use-input from the selection-based input device, automatically unlatching the pen-based input device from behaving as a selection-based input device without actuating the selection-based input mode selector.

Applicants believe that independent claim 18 is supported as set forth above. For similar reasons as set forth above in support for claims 1 and 15 applicants believe the independent claim 18 is allowable. Moreover, applications can find no teaching in either of the references of the combination of latching by actuating the pen-based input selector, automatically unlatching the selection-based input device, latching by actuating the selector-based input mode selector, and automatically unlatching the pen-based input device. Accordingly, applicants assert that independent claim 18 is allowable.

With regard to the dependent claims, the dependent claims include features not taught or suggested by the cited references. Moreover, those claims ultimately depend from independent claims 1, 15 and 18, respectively. As such, they are thought allowable for at least the same reasons set forth above.

05-07-07

11:59AM FROM-MERCHANT & GOULD P.C.

206-342-6201

T-961 P.021/022 F-719

RECEIVED
CENTRAL FAX CENTER

MAY 07 2007

Application No. 10/781,489
Amendment dated January 8, 2007
Response to Final Office Action dated November 7, 2006

IV. Request for Reconsideration

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicant at the telephone number provided below.

Respectfully submitted,

MERCHANT & GOULD P.C.


Ryan T. Grace
Registration No. 52,956
Direct Dial: 206.342.6258

MERCHANT & GOULD P.C.
P. O. Box 2903
Minneapolis, Minnesota 55402-0903
206.342.6200

27488

PATENT TRADEMARK OFFICE